

## **TESTIMONY OF THE MICHIGAN DEER AND ELK FARMERS ASSOCIATION**

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We welcome this opportunity to present information about the privately owned captive cervid industry, and what we see as its relationship to the present CWD situation in Michigan. It is positive that government is seeking input from those with direct knowledge of cervidae production when preparing recommendations that may result in further regulation of the deer and elk production industry. We have seen, all too often in other states where, animal rights groups, agency biologists, administrators, lawyers, private citizens and bureaucrats and other self appointed experts acting as advisors and supporters of regulations concerning the captive cervid industry and CWD. This can only be interpreted as a stacked deck with the intention of eradicating the industry. I must admit that I am concerned that the Michigan Deer and Elk Farmers Association nor individual cervid owners were not consulted, informed or requested to provide information or input to whether further recommendations or actions are needed to address CWD in Michigan. I applaud the governor's office for establishing a special task force to look at the situation in this state, since there is a potential concern from many interests. I am however concerned that the Task Force may have seriously underestimated the groundwork and actions that had already been laid in a CWD action plan developed by the cooperative efforts of MDNR, MDA and the Deer and Elk industry.

It is imperative that a thorough understanding of the new law that regulates the deer and elk farming industry in Michigan. This Michigan law, PA-190 (2000) is a model for regulation of the deer and elk farming industry in other states.

The law balances the concerns of the Ag Dept, the Department of Natural Resources, Conservation organizations, the privately owned cervid industry and the people of Michigan. In fact, the law was developed after an extensive series of facilitated meetings by the afore mentioned representatives under the cooperative leadership of MDNR and MDA directors. The draft legislation was jointly taken to the legislature by MDNR, MDA, MUCC, Michigan Resource Stewards, Michigan Farm Bureau, Quality Deer Management, SCI, and the Michigan Deer and Elk Farmers Association. The law purposefully was designed to allow rapid

and easy implementation of “cervidae disease of the day” into the state program without much consternation. You must realize that in 2000, when the law was established, it wasn’t done in the dark. Michigan had a very positive history of action regarding surveillance and management of Bovine TB in both wild deer and elk, captive cervids and domestic cattle.

Wildlife and livestock disease regulation programs are and will continue to be a major part of captive cervid operations. The cattle industry has a reportable disease list a mile long while cervidae has very few (5, I believe as we discover more about cervidae health, we are sure to find new diseases. We need to do this to add to the body of knowledge of the animal for farming purposes and wildlife agency purposes.

The registration system in the Michigan law is the key to Michigan’s unique cervidae program. This mandatory registration and identification program is the result of PA-190. The registration puts in place a state-wide system for disease surveillance, monitoring, and trace-back of diseased animals. ???, possible The ability to trace back animals found to be positive for a reportable disease and the ability to provide documentation and accountability in enhancing food safety and consumer acceptability is an additional benefit the industry can claim.

This registration/identification program also provides positive checks on the industry concerning food safety issues. While food safety issues are not the focus of this program, the identification/registration program is used to meet increasing consumer demands that require documentation of where and how the products they buy are produced. It is only a matter of time before all animals entering the food chain will be required meet these high standards. The Michigan cervidae production is a responsible animal production industry demonstrating innovation and a progressive leadership style.

We are in a meat market out of necessity. This opportunity provides a commercially viable alternative for cull animals that all operations have. The use of these culls animals as meat will help with understanding our role in CWD eradication programs. The more carcasses provided for study the more we will know about the disease, its implications to animal and human health, and to our industry. We bring allot to the relationship/partnership with state agencies...we just need to make the invitation to help them...just like they help us.

In Michigan, MUCC has been looked at as the watchdog for conservation. In the past this organization earned respect and trust by portraying an honest and sincere oversight of natural resource management in this state. They were always known as the group that represented the interests of hunters and anglers and preserving and perpetuating the hunting heritage in Michigan. We must also remember that MUCC led the charge for concern when Bovine TB was first diagnosed in 1995. We therefore believe that MUCC is not confused about CWD, its origin and transmission. We can also no longer overlook the indicators that MUCC is

seeking to use the disease issue to shut our industry down. After all, this was the exact same tactic MUCC used with the Bovine TB issue when a single privately owned deer herd was discovered with bovine tuberculosis. Immediately, a hue and cry went out declaring deer ranching as the cause of TB in the northeast. The privately owned cervidae production industry has tested for TB in over 95% of the deer and elk farmers without a single positive result. Those facts disproved some of the best science in the world published suggesting bovine TB could not maintain itself in the wild. Much has been learned about Bovine TB since those initial days and we are glad we proved to the world, MUCC, and all those that followed their leadership, the existing science was wrong about TB and the captive cervid herds in this state. We have to ask ourselves, could the so-called experts be wrong again?

I would like to remind the CWD task force that when PA-190, (2000) was passed, there was not a SINGLE NO VOTE from either house. We feel this is important background for this task force, because it appears MUCC and the Resource Stewards are not honoring their agreement to support the industry under the new regulatory paradigm. All the animal health issues that existed during the agreement with TB exist today with CWD. In fact, we know more about TB than CWD.

There are some who will claim CWD is different and we will agree. Some will claim the unknowns of CWD call for further restriction of the captive cervid industry. This is a dangerous slope to go down. We will see in the future that a large number of our animal and human health issues will be related to wildlife in some way or another. We cannot shut down agri-business every time there is a problem discovered in wildlife. We know very little about prions (one theory as the causative agent) and even less about CWD. Assumptions about the disease can be made based on science also that cut the other way; there is an established species barrier, very few cervidae are actually dying from CWD, misdiagnosis (as we have seen recently with 18 deer in WI) may account for even a lesser number, this may not be a disease, but a poisoning, artificially high number of deer in the wildlife may allow for genetic inferior deer to live, only to die were a genetic barriers exist in other deer, the list could go on.

Extremists are claiming CWD is devastating, yet they turn a purposeful blind eye to other, better understood issues about wildlife health. Currently, we have had over 70,000 deer die in Texas from anthrax and hundreds of thousands more die from hemorrhagic disease each year. From the human side, we have Lyme disease is found in many Michigan counties and West Nile virus has been diagnosed in birds from virtually every Michigan county. Do we eliminate deer and other carrier hosts of ticks to prevent the spread of Lyme disease? Do we devastate the wetlands and the diverse animals found there to rid the country of mosquitoes carrying West Nile Virus? Certainly not! Facts prove CWD is a disease in wild cervids and because we share similarities with those animals in the wildlife, we become the easy scapegoat.

Contrary to what has been perpetrated by many there has never been a **single** documented case where CWD was transferred from an elk or deer ranch to **wild** deer or elk. Statements that seek to place responsibility on deer and elk **farmers** for CWD being discovered in the wild demonstrate a reckless disregard for the truth and disparage the commodities produced by a responsible livestock **industry**. I would hope that this task force has reviewed the *The Rocky Mountain News* published, on June 1. In this special section on CWD, the responsibility for CWD and its spread rests with the Department of Wildlife of Colorado (DOW). According to that article the disease was first identified in the DOW research facility at Fort Collins long before elk ranches existed in Colorado.

DOW Wildlife biologist, Gene Schoonveld, was involved in nutrition and comparative anatomy studies as part of his requirements for his Master's Degree at Colorado State University in the late '60s. That study used deer and scrapie-infected sheep and put them together in pens.

Also in that article; Schoonveld is quoted as saying "Soon after they **were** together, adult deer started showing signs of CWD" he added. "There **were** a number of deer projects going on at the time and deer were coming in from the wild that may have been infected, and were trading deer with Sybille (the Wyoming Game and Fish Department's Sybille Research Unit, Near Wheatland, Wyoming), and so it's impossible to say for sure how it got started," Schoonveld said. "But my guess as a biologist is those sheep had scrapie (the sheep version of TSE) and in close confinement -- something that they wouldn't do out in the **wild** -- it jumped to deer and infected them. The deer then spread it **among** themselves." This is because the deer were released back into the wild instead of being destroyed, because, despite what now seems like obvious evidence, "no **one** at the time understood that what was affecting the deer in the pens **was** a contagious disease." (Mike Miller, RMN, June 1, 2002, p. 4K.) The CWD eradication program in captive cervids appears successful in Colorado. The **trace** out process has been completed and elk put down at all ranches that had **suspect** animals. More than 200 animals were shipped to 15 states from affected Colorado elk ranches. These animals were also quickly identified, depopulated, and tested for CWD. Only one of 200 elk tested positive for the disease. The **lone** positive case was in a Kansas herd of 16 elk. That herd was depopulated **tested** and found to be negative.

It appears that by 2001 the disease, spreading unchecked, had infected up to **14%** of wild deer in the area surrounding the DOW research facility, and up to **1%** of the wild elk. However, CWD is an exceedingly rare disease outside of **this** endemic area. So far only 98 domestic elk out of a total of approximately 135,000 domestic elk in the United States have tested positive for the disease. This is **less** than 0.1%! There are reports prior to 1977 that the Colorado DOW and Wyoming Game and Fish agencies have been monitoring the disease but, **despite** the fact that it has been slowly spreading within wild deer and elk herds very **little** was done to prevent its spread. In fact, during that period, they were **releasing**

CWD exposed deer back into the wild, and shipping others to zoos and to other states.

Wildlife managers thought the nation have been aware of this disease since the late 1960s but have been lax at taking any positive steps to halt the spread of the disease, let alone to attempt to eradicate it. It wasn't until public opinion forced the agencies to begin an earnest attempt to do something. Unfortunately, this has caused the Wildlife agencies to try to point the finger at elk and deer producers. It should be clear by now that CWD did not originate in privately owned facilities. In fact, privately owned cervidae producers have swiftly eliminated diseased animals behind their fences.

We need to be aware of how wildlife agencies are handling this issue. Statements from WI attempt to support the cause of CWD in Wisconsin is from deer and elk farms in the surrounding area. The Wisconsin Agriculture Director stated there has been no privately owned deer or elk operation nearby the area recently found with CWD.

We would like to present the following facts surrounding the Wisconsin CWD situation :

- a) Nineteen elk came to Wisconsin legally from a Western ranch where herds were later found to be infected with CWD. Once the infection was discovered, the agriculture department immediately traced all 19 animals and placed them under surveillance. They were formally quarantined in 2000.
- b) Of the 19, 10 remain alive and healthy. They are no longer under quarantine because they have been off the infected ranch for five years, the national benchmark. None of the 19 elk went to farms in counties where CWD has been discovered (none went to the Mount Horeb area, where CWD was discovered)
- c) Six of these animals died but tested negative for CWD. Three others died but were not tested; two died before the infection was reported, and one was not discovered until the carcass was too decomposed for testing.
- d). There are two WI experimental research stations are within 8 and 10 miles from the area in WI where CWD was discovered. These facilities were home to studies done in the 70's on scrapie sheep. This is amazingly close to the same research conditions that surround DOW facility in Colorado.

There have been enough examples of wild deer with CWD to seriously question the thought that this disease is totally from captivity reared animals also. Specifically, examples which have no remotely close tie to captive animals are 1) a wild mule deer was recently discovered with CWD in New Mexico. The second is deer discovered with CWD in Nebraska on a deer ranch operation. That operation is near the endemic area with some of the wildlife deer enclosed on private property. An appropriate analysis would conclude that the deer in Nebraska were diseased when they were enclosed and the deer in New Mexico is from an area where no captive deer farm or ranch are found. Apparently this wild animal acquired the disease by "natural" means. .

Please remember, this was the same scenario experienced in the northeast area of Michigan with bovine tuberculosis. A single privately owned deer herd was discovered with bovine tuberculosis. Immediately, a hue and cry went out declaring deer ranching as the cause of TB in the northeast. This animal too is now thought to have been a wild deer that was infected with TB at the time the facility was fenced, and the owner took legal title of the animal from the state of Michigan. The privately owned cervidae production industry initiated legislation to require strict testing of all captive cervids state wide. This was at the time when Cattle were only being tested within the known TB area of the state. I am proud to report that over 95% of the deer and elk have been tested without a single positive.

The Michigan privately owned cervidae industry is suffering because ignorance demonstrated in through media outlets is fueling hysteria. Some of the negative consequences experienced are the loss of significant markets for velvet antler due to Korean ban on imports; restrictions on the inter-state and intra-state movement of cervids; de-population of elk farms; a significant loss of revenue to the industry; and an increased pressure by opponents of game farming to shut the industry down. Media hysteria, without facts, has provided the general public confusing and inaccurate information and fuels the belief CWD is pervasive among all wild deer and elk herds. For example, mixed messages are being published concerning venison - there is no evidence that it is unsafe, but don't eat the animal if there is evidence of CWD. Problems are arising because butcher shops and processors are refusing to process wild deer because of fears of CWD and issues related to disposal of offal. Such confusion will most assuredly effect hunting and reduce the funds for wildlife management and restoration of critical habitats in many states.

It is probably true that the hysteria and misinformation over CWD is causing more impacts on present and future hunting than the disease itself. Facts support the assertion "there is more that we don't know about CWD then we do know". A USDA supported Harvard Study concluded that we do not know what causes CWD, and do not know if it is in fact a prion, virus, retrovirus, or related to bacteria. Furthermore, it acknowledged we do not know the following for sure:

- 1). We do not know the precise methods of transmission of the disease. It could be by aerosol, urine, fecal, or saliva.
- 2). We also do not know if CWD is being "found" as opposed to "spreading". Suggesting it has been with us for many years without decimating our over-populated whitetail herds or causing illness in livestock, pets, or humans.
- 3). We do not know if low deer densities will eradicate the disease.
- 4). We do not know if this disease has always been here and has never been realized to be harmful or that maybe the disease is new and it is nature's way of reacting to the largest population ever of wild whitetail deer.

We are left with extrapolating from what is known to help us with the unknown.  
What we do know about CWD ?

- 1). As States are now searching for the disease, the more it is found.
- 2). It does not appear venison eating will cause injury to humans. If so, hundreds of thousands of hunters would be sick.
- 3) FDA has stated publicly " there's no identified instance of disease in human beings attributable to Chronic Wasting Disease, either through contact (with sick animals) or through consumption". That position has not changed.
- 4). Research suggests the presence of a species barrier concerning transmission of CWD. That means people, cattle, and pets are unable to contract CWD from infected deer.

This is summarized in key research on CWD to date provided to Congress by Glen Zebarth, DVM, Several studies have been conducted to determine the transmissibility of CWD from infected cervids to other species.

a) In one study, conducted at the NIH's Rocky Mountain Laboratories in Hamilton, Montana, researchers determined that there existed "a barrier at the molecular level that should limit the susceptibility of non-cervid species to CWD" (Raymond, C.J. et al. "Evidence of a molecular barrier limiting susceptibility of humans, cattle, and sheep to chronic wasting disease." The EMBO Journal. 19.17 (2000):425-4430.

b) Real-life conditions support the presence of a species barrier. Work by Beth Williams DVM, Ph.D., of the Wyoming State Veterinary Laboratory and leading expert on CWD, indicates researchers have found no evidence that CWD can be transmitted from deer and elk to cattle under natural conditions This is supported by two studies

c) In a 10-year study involving 12 cattle that were orally fed CWD-infected deer brain one time in 1997, all of the cattle are healthy.

d) In a contact study also begun in 1997, 24 cattle are being kept alongside CWD-infected deer, and all 24 are healthy.

e) In addition, a wide-ranging survey of cattle in contact with CWD-exposed free-ranging deer supported the species barrier. In 1998, Dr. Daniel H. Gould of Colorado State University conducted a geographically targeted survey of adult-age cattle (five years or older) on 22 ranches where cattle co-mingled with free-roaming deer. None of the 262 cattle brains analyzed had any indications of chronic wasting disease, and no evidence of prion proteins was detected in any animal tissue.

f) In contrast, in a study where 12 cattle were injected intracranially with CWD-infected deer brain, three cattle became sick and were euthanized (Hamir, A.N., et al. "Preliminary Findings on the Experimental Transmission of Chronic Wasting Disease Agent of Mule Deer to Cattle." Vet. Diagn. Invest.13 (2001). This type of transmission, however, would never happen under natural ranching conditions or in the wild.

It appears there is a species barrier that prevents the disease from jumping from one species to another except under very unusual circumstances.

It is very interesting to note CWD has been spreading in Wyoming where there is no elk ranching. In fact, Wyoming does not allow game ranching. It does however, have more square miles of CWD endemic area than any other state and coincidentally, the largest sheep herd in the country. Since scrapie is present in approximately 75% of sheep in the U.S., CWD may be found wherever sheep and deer are in close proximity.

Privately owned cervidae producers have a history of taking responsible steps in response to animal health issues swiftly and decisively. When TB first appeared in farmed elk the industry immediately developed a program for eradicating the disease. The TB certification program, modeled after the cattle program, was instituted with the help of the U.S. Animal Health Association and has been a great success. Similarly, the industry has developed a surveillance program for CWD which will soon become mandatory across the country. This program will insure the freedom of privately owned cervidae from this terrible disease.

In addition, the Elk Research Council, an offspring of the North American Elk Breeders Association, has put a great deal of money to research into finding a live animal test for CWD, and it is getting closer. Such a test would be a great aid in more swiftly eliminating this disease without having to kill thousands of animals.

The Michigan deer and elk production industry has done a tremendous job to strengthen regulation of farm-raised deer and elk and provide facts to combat hysteria. Also following are the measures the state is taking to combat the fatal brain disease in deer and elk.

- 1) The agency responsible for regulating livestock for animal health issues, to include privately owned elk and white-tailed deer, is the Michigan Department of Agriculture.
- 2) For the importation of cervids into the state, owners of deer and elk are required;
  - to obtain a prior entry permit from the MDA that must identify point and area of origin and herd of destination,
  - inform MDA of health status of animal and herd of origin,
  - and prohibits animals imported from areas where CWD has been diagnosed or where they have been exposed to CWD,
  - also, a ban on all cervid imports from Wisconsin has existed since March 2002 and effective April 27, 2002, the MDA issued a one-year moratorium on all cervid imports.
- 3) All traces on CWD exposed animals have been completed with all test results being negative for CWD.



4) The privately owned cervidae production industry sought laws and regulations to ensure public confidence and has resulted in the most regulated deer industry in the country. The new law was modeled after the national scrapie program and allows disease monitoring programs, such as for CWD, to be implemented quickly and effectively and creates a document trail on animal movements to facilitate tracebacks and traceforward movements in the event a disease is dissevered. The new law requires:

- Mandatory registration of all facilities;
- Requirements for minimum fence heights and acceptable fence materials;
- Mandatory fence inspection;
- Mandatory yearly submission of fence inspection reports;
- Mandatory record keeping;
- Maintaining records of all additions to herd;
- Maintaining records of all losses from the herd;
- Maintaining records of all health certificates and test results;
- All cervids must be officially and individually identified;
- Mandatory yearly submission of animal inventories;
- Recovery protocol for escaped cervidae;
- MDA maintains a database of all cervid facilities with location, size, type, contact number, and number of animals present;
- Intra-state movement restrictions based on registration class;

5) CWD is now a reportable disease that requires any owner, veterinarian, or member of the public who suspects CWD must report it to the MDA immediately. The MDA veterinarians trained in the diagnosis of the disease will be dispatched to do the follow-up on the report.

6) The State TB eradication program as it pertains to privately owned cervidae instituted at the request of the deer and elk industry has caused licensed veterinarians and Department of Agriculture employees to have hands on observations of the herds and they are statutory mandated to report any signs of CWD. The Michigan deer and elk industry continues to work closely with both the Michigan Department of Agriculture and the Department of Natural Resources to preserve healthy deer in our wild and privately owned hers

7) A Surveillance and Contingency Program to search for CWD in the wild deer population and in privately owned facilities and set protocols on what to do if it is discovered is being put together with input from industry, MDA, MDNR, and Michigan Farm Bureau.

8) The Michigan Deer and Elk Farmers Association have made numerous requests for almost 2 years for support of a Mandatory Monitoring Program for CWD using the national model developed by the North American Elk Breeders

Association. The overwhelming obstacle to implementation to a program has been lack of funding and agency personnel. These same obstacles are evident today.

It should be noted that the MDNR has refused to support monitoring for CWD in the privately owned herds claiming a legal analysis of the federal statute "The Pittman-Robinson act (50 Stat. 917, 16 U.S.C.A. section 669)" does not allow funds to be used for such support. This skewed analysis flies in the face of the cooperative effort to eradicate CWD demonstrated in a written agreement between the USDA and the Department of the Interior. Maybe we need a review of that law as it applies to the Michigan DNR. Also, the DNR has a courier service and protocol in place that is being used for TB testing in wildlife. This could be expanded and "piggybacked" to include a service for privately owned cervidae producers (lightening the logistical and cost burden) and get samples to MSU. The increase in numbers may even reduce the cost of testing because of volume.

If CWD is discovered, it will be a testament to the monitoring and surveillance program is working. Contrary to reports, there has never been a single documented case where CWD was transferred from an elk or deer ranch into the wild.

Testing for the disease is also problematic. Random testing would not be practical since no method exists for testing live animals. To get a scientifically valid sample from deer and elk farms would require killing at nearly all the deer and elk on farms today.

As industry representatives, we are glad to respond to questions and provide some facts on CWD. However, we are seeing an ever increasing number of organizations and media choose to play the old game of blaming, dividing, and spreading innuendos.

The facts are: There has been CWD testing in MI. All test results received so far are negative for chronic wasting disease (CWD). The testing of animals going for slaughter will be an essential part of the work done to find the disease and it is part of the animal health responsibilities of MDA for all livestock industries. Cervid harvest preserves exist in several countries, from Spain to Russia and New Zealand to China. Harvesting deer in preserves has been part of Western and Eastern culture for many, many years. As a farmer and hunter option, this activity must be preserved and protected.

As stated earlier, the U.S. Food and Drug Administration and a study conducted by Harvard University concluded, after considering 30 years of data, that to date there is no evidence that CWD can infect humans. The cervidae production industry in Michigan is one of the most regulated, with traceback on its products, livestock identification, regulations on animal health, etc. Deer and elk farming are here to stay, contrary to the wishes of some.

While the issue of chronic wasting disease has disrupted some of the cervidae production industry activities, the industry has now focused its efforts in other directions and will exploit some of its growing markets: velvet antler for pet food, farm-raised elk and deer meat, etc. Groups opposed to the industry should celebrate the innovative ways of this industry, the forward-looking manner in which issues such as CWD are dealt with, the diversity of its markets and the hard work producers are putting in to make a living. It is too easy for misguided organizations and journalists to judge what is being done on the field and dump on producers. But cervidae producers see through these techniques. They realize that deer and elk producers, as all livestock producers, need a competitive edge; they also prefer co-operation between governments and industry rather than confrontation (as we have demonstrated and will continue to do).

Maybe it's time that organization leaders, journalists, and others consider what would happen to them if their livelihood and lifestyle was removed, virtually overnight, through no fault of their own. The elk and deer production industry challenges them to truly understand compensation for the animal versus the farmer's original setup costs, animal genetics and production values and eventual cleanup costs (borne by the farmer). As an industry, we are quite willing to keep all discussion channels open as long as it is fruitful and useful. Some activists have never accepted the existence of this industry in Michigan. We will not try to convince them as they will not change their minds. A dialogue has to be constructive. This is a place to close with comments about the agencies needing to be cautious, since it is apparent the hysteria from the misinformation can do far more to the hunting heritage and wildlife management than the highly regulated captive cervid industry. Hope they are aware of this point, because if the captive cervid industry was gone tomorrow, the concern and negative public perception of disease in wildlife will continue to devastate the image of hunting and wildlife management.